## Shell, Karrie-Jo

From: Shell, Karrie-Jo

**Sent:** Monday, December 7, 2020 8:26 AM **To:** Lutz, Daphne Y; Hesterlee, Craig

**Cc:** Ramsey, S Scott; Pinson, Theo; Kitchens, Jeff; Blanton, Carrie T; Staples, Bridget

**Subject:** RE: Alabama Power Plant Barry Proposed Permit

I have no comments on the Proposed Permit. The change to the permit to address a modification after the effective date of the SE Reconsideration Rule, December 14, 2020, does not disagree with the following language in the Federal Register for the final Reconsideration Rule (page 56 of 74):

The limitations and standards in this rule apply to discharges from steam electric power plants through incorporation into NPDES permits issued by EPA or by authorized states under Section 402 of the CWA, and through local pretreatment programs under Section 307 of the CWA. NPDES permits or control mechanisms issued after this rule's effective date must incorporate the ELGs, as applicable. Where permits with the 2015 rule limitations have already been issued, EPA expects that the final rule requirements will be incorporated through permit modifications in most cases. Also, under CWA section 510, states can require effluent limitations under state law as long as they are no less stringent than the requirements of this rule. Finally, in addition to requiring application of the technology based ELGs in this rule, CWA section 301(b)(1)(C) requires the permitting authority to impose more stringent effluent limitations, as necessary, to meet applicable water quality standards."

I hope you, your family, and your staff are all doing well.

KJ

From: Lutz, Daphne Y < DLutz@adem.alabama.gov>

Sent: Friday, December 4, 2020 3:52 PM

To: Shell, Karrie-Jo <Shell.Karrie-Jo@epa.gov>; Hesterlee, Craig <Hesterlee.Craig@epa.gov>

Cc: Ramsey, S Scott <SRamsey@adem.alabama.gov>; Pinson, Theo <tpinson@adem.alabama.gov>; Kitchens, Jeff

<JWK@adem.alabama.gov>; Blanton, Carrie T <carrie.blanton@adem.alabama.gov>

Subject: Alabama Power Plant Barry Proposed Permit

Karrie – Jo and Craig,

As discussed on the phone, attached are the proposed permit, the response to comments, and the revised rationale for the Alabama Power Barry Permit. The comments we received are located in our efile system if you wish to review them in their entirety. If you have any questions, please do not hesitate to contact me or Scott Ramsey.

Thank you,

Daphne Y. Lutz, P.E. Industrial / Municipal Branch, Chief Water Division Alabama Department of Environmental Management dlutz@adem.alabama.gov (334) 270-5602



